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Adoption of the agenda and organization of work

Cooperation between the United Nations and the Agency for Cultural and Technical Cooperation

Note by the Secretary-General

1. On 10 November 1978, during its thirty-third session, the General Assembly adopted resolution 33/18 by which it invited the Agency for Cultural and Technical Co-operation, and organization of countries that use French as a common language, to participate in the sessions and work of the General Assembly and of its subsidiary organs in the capacity of observer. Further to that resolution, the Agency has maintained in New York an Office of the Permanent Observer to the United Nations.

2. On 16 October 1995, the General Assembly adopted resolution 50/3, entitled "Cooperation between the United Nations and the Agency for Cultural and Technical Cooperation". In that resolution, the Assembly noted with satisfaction the support expressed by the heads of State and Government of countries that use French as a common language for United Nations activities, and their desire to begin a new partnership with the institutions of the United Nations system. It invited the Secretary-General to promote cooperation between the United Nations Secretariat and that of the Agency and requested him to submit a report on the implementation of the resolution at its fifty-second session.

3. The requested report (A/52/299 and Add.1 and 2) was submitted on 27 August 1997 together with its annex, a cooperation agreement between the United Nations and the Agency for Cultural and Technical Cooperation, signed on 25 June 1997. Having considered the report, the General Assembly, by its resolution 52/2 of 17 October 1997, *inter alia*, commended the Agency for its continuing efforts to encourage multilateral cooperation among countries that use French as a common language, particularly in the areas of conflict prevention, strengthening of the rule of law, economic, social and cultural development and promotion of new information technologies, and welcomed the involvement of the countries that use French as a common language, through the Agency for Cultural and Technical Cooperation, in the United Nations activities, including the preparation for, conduct of and follow-up to world conferences organized under United Nations auspices.

4. At their Seventh Summit, held in Hanoi on 15 November 1997, the heads of State and Government of countries that use French as a common language decided that the Charter of the Agency for Cultural and Technical Cooperation needed to be revised in order to better promote la Francophonie's ideals of freedom and human rights, justice, democracy, development and progress. As a result of that decision, the Summit adopted the Charter of an International Organization of la Francophonie, which is attached to the present note (see annex). Pursuant to article 1 of the Charter, the Agency for Cultural and Technical Cooperation has become the Agency of the International Organization of la Francophonie. In accordance with articles 2 and 10 of the Charter, the Agency is the principal operator

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of the cultural, scientific, technical, economic and legal cooperation programmes decided upon by the Summit of the heads of State and Government of countries that use French as a common language, which is one of the main bodies of the International Organization of la Francophonie. The Agency also serves as the seat of the General Secretariat of the International Organization of la Francophonie and provides it with administrative support. Pursuant to article 17 of the Charter, the political offices of the Agency of the International Organization of la Francophonie in Brussels, Geneva and New York are incorporated into the General Secretariat of the latter.

5. By a letter dated 3 September 1998, Mr. Boutros Boutros-Ghali, the Secretary-General of the International Organization of la Francophonie, informed me that the International Organization of la Francophonie had assumed the rights and obligations of the Agency for Cultural and Technical Cooperation. He also informed me that, in the light of the aforementioned provisions of the Charter of the International Organization of la Francophonie, the Office of the Permanent Observer of the Agency for Cultural and Technical Cooperation to the United Nations had become the Office of the Permanent Observer of the International Organization of la Francophonie to the United Nations.

6. The above-mentioned change would imply that the International Organization of la Francophonie would assume the rights and responsibilities of the former Agency for Cultural and Technical Cooperation as an observer invited by the General Assembly in its resolution 38/18 to participate in the sessions and the work of the General Assembly and of its subsidiary organs.

7. The present note is submitted to the General Assembly for its consideration.

Annex

[Original: French]

Charter of la Francophonie

adopted by the Seventh Conference of heads of State and Government of countries that use French as a common language, held in Hanoi on 15 November 1997*

* The text includes the proposed amendments resulting from the conference of the heads of State and Government meeting on the occasion of the Seventh Summit in Hanoi, Viet Nam, on 15 November 1997.

Preamble

At the dawn of the twenty-first century, the world is experiencing profound political, economic, technological and cultural upheavals. To remain present and useful, la Francophonie must adapt to this historic change.

By adopting in Cotonou a francophone vision for the present day and the coming century, the heads of State and Government oriented la Francophonie towards the future, without denying a past which constitutes the platform on which a new Francophonie will be built. This history, thanks to which the world that uses French as a common language exists and develops, is owed to those many women and men who served as untiring militants for the francophone cause; it is owed to the many private and public organizations which for very many decades have been working to extend the influence of the French language and promote dialogue between cultures. It is owed to the Agency for Cultural and Technical Cooperation, the only intergovernmental organization of la Francophonie which, since 1970, has been engaging in original multilateral activities. This is why it is to become the Agency of la Francophonie.

In Cotonou, in December 1995, the time had come to give la Francophonie its full political dimension. The world context demands it, technological progress calls for it. The development of democracy in all countries makes it essential and the solidarity among the French-speaking peoples requires it. It is through the development and economic growth of the French-speaking countries that la Francophonie will command recognition in the world. The objectives pursued by the francophone vision were intended to permit this.

That is why, in Cotonou, the heads of State and Government decided to elect in Hanoi, in 1997, a Secretary-General who would be the keystone of the francophone institutional system. In addition, this institutional framework needed to be given the legal foundation which the bodies created by the Summits lack. The Charter of the Agency, which becomes the Charter of la Francophonie, provides, in accordance with the wish of the heads of State and Government, this legal foundation. The Charter thus needs to be revised in order that the francophone ideal, that of freedom and human rights, that of justice and solidarity, that of democracy, development and progress, may be perpetuated.

Title I: Objectives

Article 1: Objectives

La Francophonie, aware of the links created among its members by the fact that they use French as a common language and wishing to utilize them in the service of peace, cooperation and development, has as its objectives to assist in the establishment and development of democracy, the prevention of conflicts and support for the rule of law and for human rights, the intensification of dialogue between cultures and civilizations, the establishment of closer ties among peoples through mutual knowledge and strengthening of their solidarity through multilateral cooperation activities with a view to promoting the growth of their economies.

La Francophonie shall respect the sovereignty of States, their languages and their cultures. It shall observe the strictest neutrality in issues of domestic policy.

The institutions of the present Charter shall contribute in their respective areas to the attainment of these objectives and respect for these principles.

The Agency for Cultural and Technical Cooperation, established by the Niamey Convention, of 20 March 1970, shall be the Agency of la Francophonie.

Its Charter, as amended below, shall constitute the legal basis for the bodies and organs of the Conference of Heads of State and Government of the French-speaking Countries. It shall be the Charter of la Francophonie.

Title II: Institutional organization

Article 2: Institutions and operators

The institutions of la Francophonie shall be:

The bodies of la Francophonie:

The Heads of State and Government of the French-speaking countries, hereinafter referred to as "the Summit";

The Ministerial Conference of la Francophonie, hereinafter referred to as "the Ministerial Conference";

The Standing Council of la Francophonie, hereinafter referred to as "the Standing Council", presided over by the Secretary-General of la Francophonie;

The General Secretariat of la Francophonie;

The Agency of la Francophonie shall be the sole intergovernmental organization of la Francophonie. It shall be the principal operator of the programmes decided upon by the Summit;

The International Assembly of French-speaking Parliamentarians (AIPLF) shall be the Advisory Assembly of la Francophonie;

The direct operators recognized by the Summit, the list of which is annexed hereto, shall contribute in the areas of their competence to the objectives of la Francophonie as defined in the present Charter.

Article 3: The Summit

The Summit, the supreme body of la Francophonie, shall meet every two years.

It shall be presided over by the Head of State or Government of the host country of the Summit up until the following Summit.

It shall define the orientations of la Francophonie so as to ensure its influence in the world and meet its objectives.

It shall adopt any resolution it deems necessary to the successful functioning and influence of la Francophonie.

It shall elect the Secretary-General of la Francophonie pursuant to the provisions of article 6 of the present Charter.

The Secretary-General shall report to it on the execution of his mandate both in the political sphere and in that of francophone multilateral cooperation.

The presence at the Summit of the Secretary-General, the Administrator-General and the other direct operators recognized by the bodies is dealt with in annex 3.

Article 4: The Ministerial Conference

The Ministerial Conference shall comprise all the members of the Summit. Each member shall be represented by the Minister for Foreign Affairs or the Minister responsible for francophone affairs, or his delegate. The Secretary-General of la Francophonie shall attend the Ministerial Conference ex officio, without participating in voting.

The Ministerial Conference shall meet as the Conference of the Summit and the General Conference of the Agency.

The Ministerial Conference shall prepare for the Summit. It shall ensure implementation of the decisions of the Summit and take all initiatives stemming therefrom. It shall adopt the financial reports and examine the budget estimates of the Agency and the direct operators recognized by the Summit, as well as the broad lines of francophone multilateral activity.

It shall decide on the allocation and execution of the Single Multilateral Fund (SMF) referred to in articles 5 and 8.

The Ministerial Conference shall appoint the Auditor of the Single Multilateral Fund. At the request of a member State or participating Government, the Ministerial Conference shall request the Secretary-General to provide any information relating to utilization of the fund.

The Ministerial Conference shall define the terms on which the auditors of the operators are appointed, as well as the terms for monitoring the use of funds by these operators; it shall also define the terms on which the auditors of the operators shall be required to cooperate with the auditor of the Single Multilateral Fund (SMF).

The Ministerial Conference, acting as General Conference, shall appoint the Administrator-General of the Agency of la Francophonie on a proposal from the Secretary-General.

The Ministerial Conference, acting as General Conference, may decide to move the headquarters of the Agency.

The Ministerial Conference shall recommend to the Summit the admission of new members and new associate members, as well as the nature of their rights and obligations.

The operating modalities of the Ministerial Conference are the subject of annex 4 to the present Charter.

Article 5: The Standing Council of la Francophonie

The Standing Council shall be the body responsible for preparation and follow-up of the Summit, under the authority of the Ministerial Conference.

The Governing Council shall consist of personal representatives duly accredited by the heads of State or Government members of the Summit.

Only the personal representatives shall be entitled to participate except in exceptional situations, in which case they shall so inform the President of the Standing Council.

The Standing Council shall be presided over by the Secretary-General of la Francophonie. He shall rule on its proposals and support it in the discharge of its duties.

The functions of the Standing Council of la Francophonie shall be:

To ensure that the decisions of the Ministerial Conference are implemented;

To take decisions regarding allocations from the Single Multilateral Fund (SMF) and review their implementation;

To review and adopt the provisional agenda for meetings of the Ministerial Conference;

To play its leadership, coordinating and arbitral role with respect to the cooperation component as well as the political component and the economic component. To this end, it shall have three commissions: the Political Commission, the Economic Commission and the Cooperation Commission. These commissions shall be presided over by a representative of a member State or government designated by it on a proposal from the Commission in question;

To review and approve projects;

To carry out evaluations of the operators' programmes;

To perform any other duty assigned to it by the Ministerial Conference.

As necessary, the Secretary-General shall convene the Standing Council as constituted by the Summit.

The operating modalities of the Standing Council are laid down in annex V.

Article 6: The General Secretariat

A General Secretariat of la Francophonie shall be established.

The General Secretariat shall be under the authority of the Secretary-General.

The Secretary-General of la Francophonie shall be elected for four years by the heads of State and Government. His term of office may be renewed. He shall be placed under the authority of the bodies, that is to say, the Summit, the Ministerial Conference and the Standing Council of la Francophonie.

He shall be the highest official of the Agency of la Francophonie.

He shall be responsible for the secretariat of all the bodies of la Francophonie, the sessions of which he shall attend.

He shall be Executive President of the Standing Council, whose agenda he shall prepare. He shall not participate in the voting. He shall be responsible for the implementation of the measures adopted. He shall report thereon.

The status of the Secretary-General shall be international in nature. The Secretary-General shall neither seek nor receive instructions or emoluments from any Government or any external authority.

The Secretary-General shall sign international agreements. He shall, in principle, delegate this function to the Administrator-General in the case of cooperation agreements in the areas falling within the competence of the Agency. If the Secretary-General is unable to do so, the President of the Ministerial Conference shall perform this function in the case of international agreements other than cooperation agreements.

Article 7: Political functions of the Secretary-General

The Secretary-General shall be the political spokesman and official representative of la Francophonie at the international level. In exercising his prerogatives, he shall respect those of the current President of the Summit and the President of the Ministerial Conference.

In emergencies, the Secretary-General shall bring to the attention of the Permanent Council and, in the light of the seriousness of the events, the President of the Ministerial Conference, crises or conflict situations in which members may be or are involved. He shall propose specific measures to prevent them, when necessary in cooperation with other international organizations.

The bodies of la Francophonie shall give the Secretary-General general delegations of powers that stem from his status and are associated with the requirements of his duties. In particular, the Secretary-General shall decide on the sending of exploratory missions. He shall propose to the SCFC the sending of election observation missions. He shall report thereon.

The Secretary-General shall report to the Summit on the discharge of his mandate in conformity with the provisions of article 3.

Article 8: Functions of the Secretary-General relating to cooperation

The Secretary-General shall propose to the bodies, in conformity with the guidelines given by the Summit, the main lines of multilateral francophone activity. He shall do so in consultation with the Administrator-General of the Agency and with the recognized direct operators.

He shall propose the apportionment of the Single Multilateral Fund and shall order the relating budgetary and financial decisions. He shall transmit them to the Administrator-General, who is referred to in article 16.

The Secretary-General shall be responsible for leadership of the multilateral francophone cooperation financed by the SMF.

In this capacity, he shall evaluate the activity of intergovernmental francophone cooperation, as decided upon. He shall ensure harmonization of the programmes and activities of all the operators. To this end, he shall preside over a Cooperation Council comprising the Agency and the direct operators recognized by the Summit. He shall perform these functions with impartiality, objectivity and equity.

The Secretary-General shall report to the Summit on the discharge of his mandate in conformity with the provisions of article 3.

Article 9: The functioning of the General Secretariat

The Secretary-General shall be responsible for the administration and budget of the General Secretariat. He shall appoint the staff of his cabinet and designate the staff of his services. Management, including budgetary management of the staff of the cabinet, shall be under the authority of the Secretary-General.

The services of the General Secretariat shall be staffed by officials who may come either from the personnel already serving with the Agency or from personnel made available by member States, or from other personnel recruited by the Agency at the request of the Secretary-General. The staff rules and regulations of the Agency shall apply to all of these officials. Their administrative and budgetary situation shall be monitored and managed by the Agency.

Article 10: The Agency of la Francophonie

The Agency of la Francophonie shall be the principal operator of the cultural, scientific, technical, economic and legal cooperation programmes decided on by the Summit. It shall also be the legal seat of the General Secretariat and shall provide it with administrative support.

The Agency shall perform all functions relating to studies, information, coordination and action. It shall be empowered to take any action necessary in pursuit of its objectives.

It shall contribute to the development of the French language and to the promotion of the partner languages and cultures. It shall encourage peoples and la Francophonie to become better informed about each other, and shall promote dialogue among cultures and civilizations. As such, it shall be a forum for exchange and consensus-building.

It shall support the education and technical and vocational training policies of member States. It shall encourage the utilization of the new information technologies for development purposes, particularly with respect to distance learning. It shall support member States in their efforts to build and enhance the rule of law and democracy. It shall develop its programmes in a multilateral framework with a view to development, progress and economic growth.

In pursuit of its objectives, it shall perform the functions listed in annex 1.

The Agency shall cooperate with the various international and regional organizations on the basis of the recognized principles and forms of multilateral cooperation.

It shall be headed by an Administrator-General.

It may receive gifts, legacies and grants from Governments, public or private institutions or individuals.

Article 11: Participating member States and Governments

The States parties to the Niamey Convention shall be members of the Agency.

Any State which has not become a party to the Convention in the manner provided for in its articles 4 and 5 may become a member of the Agency if it has been admitted to participate in the Summit and approved as a member by the Ministerial Conference acting as General Conference of the Agency.

In full respect for the sovereignty and international competence of the member States, any government may be admitted as a government participating in the institutions, activities and programmes of the Agency, subject to the approval of the member State responsible for the territory over which the participating government concerned exercises its authority, and in accordance with the modalities agreed between that government and the Government of the member State.

Any member government of the Agency may withdraw from it by denouncing the Niamey Convention in the manner established in article 9 of the Convention.

Likewise, any member may withdraw from the Agency by notifying the Government of the country which hosted the founding Conference or the Government of the country in which the headquarters of the Agency is located at least six months before the next meeting of the General Conference. The withdrawal shall take effect upon the expiry of six months following the notification.

However, the member concerned shall remain responsible for paying the full amount of its outstanding contributions.

Article 12: Associate members

Any Government of a State which is not a party to the Convention may, at its request, be admitted by the General Conference as an associate member.

Any State wishing to associate itself with any activities of the Agency may conclude with it an agreement determining the modalities for its participation in the said activities.

The nature and scope of the rights and obligations of associate members shall be determined by the present Charter and the text adopted by the Summit.

Article 13: Headquarters

The headquarters of the Agency shall be located in Paris. It may be moved under the circumstances specified in article 4.

The Agency shall be deemed dissolved and liquidated:

(a) Either if all the parties to the Convention except one have denounced the Convention;

(b) Or if the General Conference decides to dissolve the Agency, following which the Agency shall be deemed to exist only for purposes of its liquidation.

In the event of dissolution of the Agency, its affairs shall be liquidated by liquidators appointed in conformity with article 14, who shall proceed to realize the Agency's assets and pay off its debits. The credit or debit balance shall be allocated in proportion to the respective contributions.

Article 14: The General Conference

The General Conference shall consist of all the members of the Agency. The General Conference shall guide the activity of the Agency and shall approve its work and organization programme as submitted by the Administrator-General.

It shall appoint the Administrator-General on a proposal from the Secretary-General and examine his draft contract.

It shall establish any subsidiary body required for the proper functioning of the Agency.

It shall control financial policy, and shall examine and approve the statement of accounts, the budget and the financial rules. It shall set the scales of assessed contributions and appoint the auditor. It shall appoint the liquidators. It shall take all measures required for the attainment of the Agency's goal.

It shall decide on the admission of new members to the Agency pursuant to article 11.

The operating modalities of the General Conference are specified in annex 6.

Article 15: The Governing Council

The Standing Council of la Francophonie shall be the Governing Council of the Agency. As such, it shall, by derogation from article 5, consist of the duly accredited personal representatives of the heads of States or governments which are members of the Agency.

The President shall propose the agenda.

The Governing Council shall be the executive organ of the General Conference. It shall report to the latter on the functioning of the Agency, the development of its programmes, the results of its work and the use of its budgetary resources, in accordance with the decisions of the General Conference.

It shall make all decisions necessary for the proper functioning of the Agency and its principal functions shall be:

To ensure that the decisions of the General Conference are implemented and that the activities of the Agency are conducted in accordance with those decisions;

To study the programme of work of the Agency and make appropriate recommendations to the General Conference in that regard;

To examine the financial reports and budget estimates of the Agency;

To advise the General Conference on the orientation of the general policies and financial policy of the Agency.

It shall appoint the financial controller of the Agency.

It shall make all decisions necessary for the proper functioning of the Agency.

It shall establish a programme commission and an administrative and financial commission.

The modalities for meetings and the procedures for the work of the Council and its commissions and the adoption of their decisions are set forth in annex 7.

Article 16: The Administrator-General, his status and functions

In accordance with the provisions of articles 4 and 10, the general administration of the Agency shall be placed under the authority of an Administrator-General.

The Administrator-General shall be appointed for four years by the Ministerial Conference, acting as General Conference, on a proposal from the Secretary-General. His term of office may be renewed.

The status of the Administrator-General and the staff shall be international in nature. They shall neither seek nor receive instructions or emoluments from any Government or any external authority. They shall refrain from any action which might compromise their status as international civil servants.

The Administrator-General shall propose to the Governing Council the programmes of the Agency as the principal operator of the Summit. He shall be responsible for their implementation. He shall prepare the budget reports and financial reports of the Agency, which he shall submit for the approval of the bodies.

The Administrator-General shall participate ex officio, in an advisory capacity, in the work of the General Conference and the Governing Council of the Agency. He shall prepare the decisions and ensure that they are implemented. He shall report to the bodies in that regard.

The Administrator-General shall be responsible for directing and managing the administrative and technical staff necessary for the operation of the Agency. To that end, he shall appoint and manage the staff of the Agency, in accordance with the organization plan approved by the General Conference, while respecting the financial rules; the staff regulations shall be submitted to the General Conference for approval. The geographical composition of the Agency shall be taken into account in the attribution of posts.

Under the authority of the Standing Council and its President, the Administrator-General shall prepare for the Conference of International Non-Governmental Organizations (INGO).

Similarly, the Administrator-General shall be responsible for the organization and follow-up of the sectoral Ministerial Conferences decided upon by the Summit and entrusted to the Agency.

The Administrator-General shall ensure that the payment orders issued by the Secretary-General and referred to in article 8 are executed.

Each State or government shall designate a national correspondent or a national commission to liaise with the Administrator-General.

Article 17: Regional and liaison offices

The political offices of the Agency of la Francophonie (Brussels, Geneva and New York) shall be attached to the General Secretariat and the other offices to the General Administration.

The Ministerial Conference may establish new offices located in the various geographical regions represented in the Agency or close to international institutions. It shall determine the site, composition, functions and means of financing of these offices and whether, according to their tasks, they should be attached to the General Secretariat or the General Administration.

The Ministerial Conference shall ensure that the operators are appropriately located.

Title III: Miscellaneous provisions

Article 18: The Conference of International Non-Governmental Organizations

Every two years, the Secretary-General of la Francophonie shall convene a conference of international non-governmental organizations, in accordance with the conditions, principles and modalities defined in the directives adopted by the Ministerial Conference, on a proposal from the Standing Council.

It shall entrust the preparation of the Conference to the Administrator- General.

The purpose of the Conference shall be:

To inform francophone international non-governmental organizations about the policies and programmes adopted by the Summit;

To identify the organizations that could make a practical and effective contribution to the implementation of the programmes of la Francophonie;

To conduct consultations with a view to obtaining opinions and suggestions concerning the main lines of the programmes;

To promote cooperation among organizations having common interests.

A follow-up committee, established by the Conference of International Non-Governmental Organizations and consisting of a maximum of five representatives, shall ensure liaison with the Secretary-General or the Administrator-General, according to their responsibilities, between meetings of the Conference.

Article 19: Working language

French shall be the working language of all institutions of la Francophonie, the Agency and all its organs.

Article 20: Interpretation of the Charter

Any decision concerning the interpretation of the present Charter shall be made by the Ministerial Conference, acting as General Conference of the Agency, in accordance with the provisions of article 4.

Article 21: Revision of the Charter and its annexes

The Ministerial Conference, acting as General Conference, shall be competent to amend the present Charter and its annexes, which form an integral part thereof.

The Government of the State which is president of the Summit, or the State which hosted the founding Conference, or the State in whose territory the Headquarters of the Agency is located, shall notify all members and the Secretary-General of any revision of the present Charter.

Annex 1

(See article 10)

Functions of the Agency

The Agency shall perform functions relating to studies, information, coordination and action. It shall be empowered to take any action necessary in the pursuit of the following objectives:

(a) To promote the development of the French language and the cultures which use it, in parallel with promotion of the partner languages and cultures of member States;

(b) To uphold the status of the French language in international organizations and world conferences;

(c) To support the efforts of member States and the Secretary-General to strengthen the rule of law and democracy and promote human rights;

(d) To periodically prepare and disseminate inventories of the resources of la Francophonie in all areas within its competence;

(e) To propose, as necessary, the pooling of part of the intellectual, technical and financial resources of its members for the implementation of development programmes useful to all or some of its members;

(f) To optimize the utilization of information through the use of modern information technologies;

(g) To contribute to the development of basic education, distance learning and technical and vocational training in member States;

(h) To contribute to the creation of common instruments relating to higher education, scientific and technical research and the utilization of research, for development purposes;

(i) To promote the economic advancement of member States through the realization of these objectives;

(j) To serve as a permanent forum for meetings and exchanges among specialists in various disciplines and national officials responsible for the major sectors of economic, educational, cultural, scientific and technical activity;

(k) To initiate or encourage concerted action by all members and the concentration of efforts and resources, particularly in sectors at the forefront of research, technology, energy, the environment, agriculture, education, training and communication, and in the study of development problems;

(l) To encourage member States to become better informed about each other;

(m) To make it easier for governments to gain full access to sources of bilateral and international cooperation and, as appropriate, to implement specific multilateral assistance programmes;

(n) To maintain close relations with international organizations, international non-governmental organizations and multilateral francophone associations which are active within the sphere of competence of the Agency, so as to maximize the benefits of all initiatives and coordinate common action;

(o) To perform any other function relating to the objectives of the Agency which may be entrusted to it by the Summit, the Ministerial Conference or the Standing Council of la Francophonie.

The general competence vested in the Agency with regard to cooperation shall be exercised subject to the specific mandates entrusted by the Summit to specialized recognized direct operators.

Annex 2

(See article 2)

A. The recognized direct operators of the Summit

The recognized direct operators of the Summit shall be:

L'Association des universités partiellement ou entièrement de langue française/Université des réseaux d'expression française (AUPELF/UREF) (The Association of Partially or Wholly French-Language Universities/University of French-Language Networks);

TV5, the international French-language television channel;

Senghor University in Alexandria;

L'Association internationale des maires et responsables des capitales et des metropoles partiellement ou entierement francophones (AIMF) (The International Association of Mayors and Officials of Partially or Wholly Francophone Capitals and Metropolitan Countries).

B. AIPLF

L'Assemblée internationale des parlementaires de langue française (AIPLF) (the International Assembly of French-Speaking Parliamentarians) shall be the Advisory Assembly of la Francophonie.

Pursuant to the resolution of the Mauritius Summit, mutual consultation and information shall be effected through:

The reciprocal transmittal of information, decisions, reports and other documents of AIPLF, the Summits and all bodies of la Francophonie;

Participation by AIPLF representatives in the work on specific subjects carried out by the Summits, the Ministerial Conference (MCFC) and the Standing Council (SCFC); this participation shall not entail a constant AIPLF presence during the work of the Summit and the other bodies;

Participation by representatives of MCFC and SCFC in the work of AIPLF and its commissions.

A joint SCFC-AIPLF commission shall be established, which shall meet at least twice a year at the request of the parties. A joint MCFC-AIPLF commission shall likewise be established, which shall meet at least once a year at the request of the parties.

Annex 3

(See articles 3, 4 and 5)

Presence of the Secretary-General, the Administrator-General and the other recognized direct operators in the bodies of la Francophonie and the Governing Council of the Agency

The Secretary-General shall participate ex officio in the work of all bodies of la Francophonie.

The Administrator-General shall participate ex officio in the Ministerial Conference sitting as General Conference or as Governing Council of the Agency.

Summit and Ministerial Conference

The Administrator-General and the recognized direct operators shall participate in the work relating to the cooperation component.

On the initiative of the Secretary-General, the Administrator-General shall be present during the work relating to other agenda items.

Standing Council of la Francophonie

The Administrator-General and the recognized direct operators shall be present during the work on all agenda items.

Governing Council of the Agency

The Administrator-General shall be present ex officio during the work relating to all items on the agenda of the Governing Council of the Agency. The other operators shall not be represented.

Annex 4

(See article 4)

Operating modalities of the Ministerial Conference

The Ministerial Conference shall meet once a year. In an emergency, it may meet in special session, pursuant to a request addressed to its President by at least ten of its members and at the call of the Secretary-General.

The Minister for Foreign Affairs or the Minister responsible for francophone affairs of the host country of the Summit shall be its President for one year before and one year following the Summit.

The Ministerial Conference shall adopt its own rules of procedure.

The decisions of the Ministerial Conference shall, if possible, be made by consensus. In the event of a vote, each member shall have one vote and decisions shall be made by a nine-tenths majority of the members present and voting, abstaining being considered as not voting.

Annex 5

(See article 5)

Operating modalities of the Standing Council

The Standing Council shall meet at least twice a year, but its President may convene it as necessary or at the request of two thirds of its members.

The Standing Council shall establish the venue and date of its next meeting.

The Standing Council shall, if possible, make its decisions by consensus. In the event of a vote, each member shall have one vote and decisions shall be made by a nine-tenths majority of the members present and voting, abstaining being considered as not voting.

Annex 6

(See article 14)

Operating modalities of the General Conference of the Agency of la Francophonie

The Ministerial Conference shall meet as General Conference of the Agency at least once a year.

In an emergency, the General Conference shall meet in special session pursuant to a request addressed to the President by at least one half of its members.

It may, in exceptional circumstances, be convened at the request of the Secretary-General of la Francophonie.

The General Conference shall adopt its own rules of procedure.

The decision-making procedures of the General Conference shall be the same as those of the Ministerial Conference as set forth in annex 4.

Annex 7

(See article 15)

Operating modalities of the Governing Council of the Agency of la Francophonie, its programme commission and its administrative and financial commission

The Governing Council shall meet at least once a year on the date it has established, or pursuant to a request addressed to the President by at least one third of its members.

It shall establish the venue and date of its next meeting.

The Governing Council shall adopt its own rules of procedure.

All decisions of the Governing Council shall, if possible, be made by consensus.

In the event of a vote, each member shall have one vote and the decisions of the Governing Council shall be made by a nine-tenths majority of the members present and voting, abstaining being considered not voting.

The Secretary-General shall not have the right to vote.

Programme Commission

1. The Governing Council shall establish a programme commission open to all its members.

2. The main task of the Programme Commission shall be to help the Governing Council to define the nature of the operations of the Agency and the means of implementing its programme of work.

3. To that end, it shall examine and express an opinion on the projects submitted by the Administrator-General in the context of his efforts to define the actions of the Agency and shall also examine the projects prepared by the Agency.

Administrative and Financial Commission

1. The Governing Council shall establish an administrative and financial commission open to all its members.

2. The Administrative and Financial Commission shall help the Governing Council to supervise the administrative and financial management of the Agency; to that end, it shall advise the Administrator-General on the application of the financial rules.

3. In order to carry out its task the Commission shall, in particular, perform the following functions:

(a) Examine the budget estimates prepared by the Administrator-General;

(b) Supervise the implementation of the budgets of the Agency, notably by examining the transfer of credits from section to section and payments to the reserve fund;

(c) Take note of the reports of the Auditor and the Financial Controller;

(d) Study the scale of assessments;

(e) Examine the salary scale of the staff of the Agency and the provisions of the staff regulations and rules, when the latter have financial implications;

(f) Advise the Administrator-General on the deposit and investment of funds;

(g) Prepare the draft contract of the Administrator-General.